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COURT OF APPEAL, FOURTH APPELLATE DISTRICT

DIVISION ONE

STATE OF CALIFORNIA

In re RYAN C., a Person Coming Under
the Juvenile Court Law.

THE PEOPLE,

Plaintiff and Respondent,

v.

RYAN C.,

Defendant and Appellant.

D070475

(Super. Ct. No. J238150)

APPEAL from a judgment of the Superior Court of San Diego County,
Roderick W. Shelton, Judge. Affirmed.

Christine M. Aros, under appointment by the Court of Appeal, for Defendant and
Appellant.

No appearance for Plaintiff and Respondent.

In this case a petition was filed in the juvenile court alleging that Ryan C. (the
Minor) had committed an unlawful use of force upon a person while on school property

(Pen. Code,¹ § 243.2, subd. (a)(1); count 1) and unlawfully touching an intimate part of the victim, against her will for the purpose of sexual arousal (§ 243.4, subd. (e)(1); count 2). The court found count 1 to be true and dismissed count 2.

The Minor was declared a ward of the court and placed on probation. The Minor filed a timely notice of appeal.

Appellate counsel has filed a brief pursuant to *People v. Wende* (1979) 25 Cal.3d 436 (*Wende*), indicating she has not been able to identify any arguable issue for reversal on appeal. Counsel asks this court to review the record for error as mandated by *Wende*. We offered the Minor the opportunity to file his own brief on appeal, but he has not responded.

STATEMENT OF FACTS

The Minor and the victim, Elizabeth E., were students at the same middle school and attended the same drama class. During class the victim briefly left her seat. When she returned the Minor had taken her seat and would not move. A minor confrontation ensued. Later, when the victim was on stage practicing her lines, the Minor approached her from behind the curtains. He placed his hand under her shirt and touched the side of the victim's left breast. The victim brushed the Minor's hand away and glared at him. The Minor then "scampered off."

A school resources officer was called to investigate the incident. At some point the officer spoke with the Minor after advising him of his rights. During the conversation

¹ All further statutory references are to the Penal Code unless otherwise specified.

the Minor admitted touching the victim in order to embarrass her for being rude to him earlier.

DISCUSSION

As we have discussed, appellate counsel has not been able to identify any arguable issue for reversal on appeal. In compliance with *Anders v. California* (1967) 386 U.S. 738 (*Anders*), counsel has identified the following possible issue for our consideration in reviewing the record:

Whether there was sufficient evidence that the Minor touched the victim in a harmful or offensive manner.

We have reviewed the entire record as mandated by *Wende, supra*, 25 Cal.3d 436, and *Anders, supra*, 386 U.S. 738. We have not been able to identify any reasonably arguable issues for reversal on appeal. Competent counsel has represented the Minor on this appeal.

DISPOSITION

The order of the juvenile court is affirmed.

HUFFMAN, Acting P. J.

WE CONCUR:

NARES, J.

AARON, J.